

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES,

Plaintiff,

vs.

GARY GIRARD SHEEHAN and JUSTIN
LEONARD SHEEHAN,

Defendants.

CR-18-101-GF-BMM

ORDER

Defendants Gary Girard Sheehan and Justin Leonard Sheehan both filed motions for temporary release from custody. (Docs. 130 and 133.) The Government opposed both motions. (Docs. 134 and 135.) Defendants may obtain release pending sentencing in three ways. The Court may release a defendant under 18 U.S.C. § 3143(a)(2) if there is a substantial likelihood that a motion for acquittal or new trial will be granted and the Court finds by clear and convincing evidence that the person is not likely to flee or pose a danger to any person or the community. 18 U.S.C. §§ 3143(a)(2)(A)(i), (B). Alternatively, the Court may release a defendant pending sentencing if the United States will recommend that no sentence of imprisonment be imposed and the Court finds by clear and convincing

evidence that the person is not likely to flee or pose a danger to any person or the community. 18 U.S.C. §§ 3143(a)(2)(A)(ii), (B) Further, the Court may also order a defendant released pending sentencing if there are “exceptional reasons why such person’s detention would not be appropriate.” 18 U.S.C. § 3145(c).

Having considered all three possibilities, the Court finds that neither defendant may obtain release pending sentencing.

Accordingly, **IT IS HEREBY ORDERED** that Defendant Gary Girard Sheehan’s motion for temporary release and Defendant Justin Leonard Sheehan motion for temporary release from custody (Docs. 130 and 133) are **DENIED**.

DATED this 25th day of February, 2020.



Brian Morris
United States District Court Judge